IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

R.F.A.No. 127 of 2007

O.S.No.208/2002 of ADDL.SUB COURT, PALAKKAD
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APPELLANT-DEFENDANT:

D.MOHAMMED RAFI, S/O.LATE AHAMMED KABIR,
POST OFFICE ROAD, ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENT-PLAINTIFF:

DHARMAPALAN & COMPANY, FINANCIERS AND
MONEY LENDERS, 31/904, MARKET ROAD, KOPPAM AMSOM,
PALAKKAD TALUK, REP.BY PARTNER D.VENKATESAN,
S/O.DHARMAPALAN, 18/42 SREET, NOORANI, PALAKKAD.

BY ADV. SRI.O.RAMACHANDRAN NAMBIAR
SRI.GEEN T.MATHEW

THIS REGULAR FIRST APPEAL HAVING COME UP FOR ADMISSION ON 24/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B. KOSHY & V. GIRI, JJ.

R.F.A.No. 127 of 2007

Dated this the 24th day of August, 2007

Judgment

Koshy,J.

Both parties were present before the court. It is submitted that the dispute between the parties are settled on condition that the appellant will pay a total amount of Rupees Seven lakhs. Out of the above Rupees Seven lakhs, Rs.3,50,000/- will be paid within 45 days and balance Rs.3,50,000/- will be paid within three months from the expiry of the 45 days fixed for the first payment. It is also submitted that after complying with the above conditions, 20 cents of land in Yakkara amsom originally transferred by the appellant's wife to the respondent through Mr. Noor Mohammed will be re-conveyed at the expenses of the appellant. If the amount of Rupees Seven lakhs is paid as per the settlement, the decree will stand set aside and if the amount is not paid, the decree will stand confirmed.

2. It is further submitted that Crl.R.P.No.1102 of 2007 will also be settled and no further action will

be taken on the cheque case. Therefore, immediately on payment of the amount, Crl.R.P.No.1102 of 2007 will also be disposed of on the basis of compromise.

Issue copy today itself.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

vaa

J.B. KOSHY AND
V.GIRI,JJ.

R.F.A.NO.127/2007

Judgment

Dated:24th AUGUST, 2007